

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

PUJAN PATEL,

Plaintiff,

v.

WENDY'S INTERNATIONAL, LLC,

Defendant.

Case No. 2:24-cv-3385

Judge Edmund A. Sargus, Jr.

Magistrate Judge Kimberly A. Jolson

ORDER

This matter is before the Court on Defendant Wendy's International, LLC's Motion to Dismiss for Failure to State a Claim. (ECF No. 15.) The Motion to Dismiss is based on Plaintiff Pujan Patel's First Amended Complaint. (ECF No. 14.) The Court granted Plaintiff's Motion for Leave to File Second Amended Complaint (ECF No. 41), and Plaintiff filed a Second Amended Complaint (ECF No. 42). Accordingly, the Motion to Dismiss is now moot. *See Lloyd v. Pokorny*, No. 2:20-cv-2928, 2020 U.S. Dist. LEXIS 123212, at *6 (S.D. Ohio July 7, 2020) (explaining that after a plaintiff files an amended complaint, courts in this Circuit will deny as moot a motion filed under Rule 12 of the Federal Rules of Civil Procedure).

The Court **DENIES as moot** Defendant's Motion to Dismiss for Failure to State a Claim. (ECF No. 15.) This case remains open.

IT IS SO ORDERED.

5/10/2025
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE